

STATINTL

Letters to The Times

Hoover Stand on Report

F.B.I. Head's Criticism of Warren Commission Is Defended

The writer is general counsel to the New York chapter of the American Civil Liberties Union.

TO THE EDITOR:

In the recent press conference held by F.B.I. chief J. Edgar Hoover he voiced resentment against the Warren Commission's criticism of the F.B.I.'s work in relation to President Kennedy's assassin, Lee Harvey Oswald. Mr. Hoover's resentment is, I believe, justified. The Warren Report itself shows that there was no reason to suspect that Oswald was a danger to the President and that, as Mr. Hoover says, only in a police state would there have been surveillance of Oswald on the basis of the available information about him.

In defining Oswald's possible motivation, the Warren Commission points to only one factor of which the F.B.I. could have been aware: "his avowed commitment to Marxism and Communism, as he understood the terms. . . ." The other factors mentioned by the commission are psychological tendencies, such as Oswald's "inability to enter into meaningful relationships." It also notes his attempt to kill General Walker, but this was revealed by Oswald's wife only after the assassination.

Facts on Oswald

We all can, with the Warren Commission, appraise the F.B.I.'s conclusion that Oswald was not a danger so long as he was working in a non-sensitive industry, for the report details the items which it says should have alerted the F.B.I.:

Oswald had gone to Russia at the age of 19 and unsuccessfully attempted to renounce his American citizenship; after about a year, however, he had become dissatisfied and had returned to the United States a year and a half before the assassination.

He distributed pro-Castro leaflets on the street in New Orleans and wrote to a pro-Castro organization in New York.

When he was arrested because of a scuffle with anti-Castroites while he was handing out leaflets, he asked to see an F.B.I. agent (agents had interviewed him several times on his return from Russia, and told him to inform them if he was approached by Russian intelligence agencies). After a self-serving explanation to the agent of the leaflet distribution, Oswald lied about immaterial points, such as where he was married.

The C.I.A. reported that Oswald had visited the Russian or Cuban embassies or consulates in Mexico City.

Oswald had an "aggressive" or "arrogant" attitude toward the United States in interviews in Russia and upon his return.

Secret Service Decision

The Warren Report also mentions that Oswald worked in a building on the President's motorcade route. However, since the Secret Service decided against a special check of the route, the location of Oswald's job does not enter into the issue of whether the F.B.I. should have warned Secret Service that he was a danger.

The Warren Report indicates that the F.B.I. may have used improper methods of surveillance—for example, how had it known that Oswald wrote from Texas to the Fair Play for Cuba Committee in New York? But even with this surveillance, no significant or violent political activity on Oswald's part, or involvement in violence of any kind, was discovered.

The Warren Commission engages in peculiar, find-some-culprit hindsight when it says the F.B.I. should have considered Oswald "a potential threat to the safety of the President." It would be repugnant and dangerous to our institutions if the F.B.I. drew such irrational and exaggerated conclusions from evidence of ideological sympathy.

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New York, Nov. 24, 1964.

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